

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARMEL M. LUMEMBO,

Petitioner,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. C19-1846-JCC

ORDER

This matter comes before the Court on the report and recommendation of the Honorable Mary Theiler, United States Magistrate Judge (Dkt. No. 10). Petitioner seeks relief under 28 U.S.C. § 2254 from a 2019 King County Superior Court judgment and sentence. (Dkt. No. 6-3 at 1.) Judge Theiler recommends that the Court dismiss Petitioner's *habeas* petition because he has not exhausted the remedies available to him in Washington's courts. (Dkt. No. 10 at 1-2.) Petitioner has not filed objections to Judge Theiler's report and recommendation, and the Court finds her analysis persuasive. The Court therefore ORDERS as follows:

1. The report and recommendation (Dkt. No. 4) is ADOPTED;
2. This action is DISMISSED without prejudice; and
3. A certificate of appealability is DENIED.

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1 DATED this 20th day of February 2020.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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